

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**BOARD OF TRUSTEES OF OHIO
LABORERS' FRINGE BENEFIT
PROGRAMS,**

Plaintiff,

V.

HEADLANDS CONTRACTING AND TUNNELING, INC.

Defendant.

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Case No. 2:16-cv-433

JUDGE ALGENON L. MARBLEY
Magistrate Judge Kemp

ORDER

This matter comes before the Court by way of the Magistrate Judge's Report and Recommendation, recommending that Plaintiff's motion for default judgment, (Doc. 7), be granted and judgment be entered against the Defendant in the amount of \$10,777.13 in unpaid contributions and other amounts, \$1,785.00 for attorney's fees, \$400.00 in costs, and interest on the \$10,777.13 in unpaid contributions from the time of judgment at the rate of 1% per month. (Doc. 8 at 4). The parties were specifically advised of their right to object to the Report and Recommendation within fourteen days and of the consequences of their failure to do so. (*Id.* at 4-5). No objection has been filed.

Since neither party has objected, and the deadline for such objections has elapsed, this Court **ADOPTS and AFFIRMS** the Magistrate Judge's Report and Recommendation. (Doc. 8.) The motion for default judgment (Doc. 7) is hereby **GRANTED** and this case is **DISMISSED**. The clerk is directed to enter Judgment in favor of the Plaintiff in the total amount of \$12,962.13, including \$10,777.13 in unpaid contributions, \$1,785.00 for attorney's fees, and \$400.00 in

costs, as well as interest on the unpaid contributions of \$10,777.13 at the rate of 1% per month from the date of this Order.

IT IS SO ORDERED.

/s/ Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: August 2, 2016